



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	122	Manual of Requirements for Child Care Centers	8/6/2009
Subchapter:	6	Program Requirements	
Section	3	Food and nutrition (N.J.A.C. 10:122-6.3)	

§10:122-6.3 Food and nutrition

(a) All centers shall comply with the following requirements:

1. Food served to children who are present during normal mealtime hours or required snack periods, as specified in (b) and (c) below, shall be provided either by the child's parent or by the center.
2. If the center chooses to provide food, the center shall ensure that all food served to children is prepared by either:
 - i. The center on-site or off-site; or
 - ii. A caterer who is licensed, registered, certified, or otherwise approved, as appropriate, by the local or county health department or State Department of Health, as applicable.
3. If the center chooses to have parents provide food, the center shall have a supply of food at the center for any child whose parent forgets.
4. If the center provides food, the center shall ensure that the food is stored, prepared, and served in a sanitary manner.
5. Staff members shall advise parents of any repetitive feeding problems experienced by their child.
6. Staff members shall not force-feed or coerce a child to eat against his or her will.
7. A snack shall be served to all children who are under the center's care for at least three consecutive hours and for all children who are served on an after-school basis.
8. Drinking water shall be made available to all children.
9. Centers that provide meals shall ensure that:

i. For children on special diets (for example, due to health reasons, religious belief or parental request), an alternative choice of food is provided by either the center or the child's parent; and

ii. Individualized written diets and feeding schedules, if submitted to the center by the child's parent or health care provider, are posted in a location that is accessible to staff members caring for the children, and are followed.

10. The center shall have a supply of food at the center and shall serve a snack to any child who is hungry or has missed a meal.

11. Unless contraindicated by the parent or health care provider, the center shall:

i. Not serve sugar sweetened or artificially sweetened beverages. Parents that provide such beverages for their children shall be provided with information regarding healthier options;

ii. Not provide solid food to children under the age of six months;

iii. Not provide cows' milk to children under the age of 12 months;

iv. Provide only whole pasteurized milk to children between the ages of 12 and 24 months or milk with reduced fat (two percent) for those children who are at risk for hypercholesterolemia or obesity;

v. Provide skim (fat-free) or one percent milk to children older than two years of age;

vi. Ensure that food is in accordance with minimum Child and Adult Care Food Program's (CACFP) standards, contained in the Child and Adult Care Food Program, 7 CFR 226.20, which is incorporated herein by reference, and can be obtained at <http://www.fns.usda.gov/cnd/care/childcare.htm>, including portion size and nutritional value;

vii. Provide a variety of both fruits and vegetables and high portion of whole grains; and

viii. Limit foods that are high in solid fats, added sugar, trans fats, and sodium.

12. The center shall ensure that these safety and sanitation practices are followed:

i. Older infants shall not carry bottles, sippy cups, or regular cups with them while crawling or walking;

ii. Food left uneaten in a dish shall be discarded;

iii. Food shall not be shared among children using the same dish or spoon; and

iv. Unused portions of food shall be labeled with the child's name, date, and type of food. The food shall be stored in the refrigerator, returned to the parent, or discarded with the parent's consent. All unused food shall be discarded if not consumed after 24 hours of storage in the refrigerator.

(b) For early childhood programs, the following shall apply:

1. Centers operating for more than three consecutive hours shall have a working refrigerator.

2. Food brought from outside the center for a child shall be inspected by a staff member for spoilage before it is served.

3. Feeding requirements for centers serving children less than 18 months of age are as follows:

i. The center shall develop mutually with each child's parent(s) and follow a feeding plan regarding the feeding schedule, specific formula, breastfeeding arrangements/accommodations, and/or expressed breast milk, nutritional needs, and introduction of new food for each child.

ii. For children less than 12 months of age, the feeding plan shall be:

(1) Documented in writing;

(2) Maintained on file; and

(3) Made available to each staff member responsible for feeding each child;

iii. All food served to a child shall be appropriate to the child's developmental eating ability;

iv. Each child's bottle(s) shall be sanitized, including the nipple(s), when the center provides the bottle, labeled with the child's name and dated;

(1) Breast milk shall be gently mixed but not be shaken;

(2) Refrigerated breast milk must be used within 24 hours;

(3) Formula or breast milk that is served, but not completely consumed or refrigerated, shall be discarded; and

(4) No milk, formula, or breast milk shall be warmed in a microwave oven.

v. A child who is too young to use a feeding chair or other seating apparatus shall be held when fed;

vi. A child who, because of age or developmental readiness, no longer needs to be held for feeding shall be provided with an infant

seat, high chair with safety strap, or other age-appropriate seating apparatus, which meets the standards of a recognized safety organization (such as the Juvenile Products Manufacturers Association, the American Society for Testing and Materials, or the United States Consumer Product Safety Commission);

vii. When a child is feeding, the bottle shall not be propped at any time; and

viii. When a child is bottle-feeding while resting or sleeping, the bottle shall be removed when the child falls asleep.

4. Mealtime and snack requirements for centers serving children 18 months of age or older and those children younger than 18 months of age who are developmentally ready to eat regular meals and snacks are as follows:

i. Centers that provide breakfast shall ensure that breakfast includes the following:

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